

PATENT

U.S. Appln. S.N. 09/936,077
AMENDMENT

REMARKS

This Amendment rewrites claim 9. The "entire length of the deep groove" feature of claim 9 is supported by Fig. 1 and page 7, line 12 of the specification. Claims 9 and 13-16 are pending.

The 35 U.S.C. § 102(b) rejection of claims 9 and 13-16 over U.S. Patent No. 5,286,454 to Nilsson et al. is traversed. The claimed apparatus is a planar surface wherein at least two compartments are located, and which are defined by a partition. The compartments create a space which makes it possible to displace at least two liquid samples independently of one another, and comprise at least two different types of grooves: at least one deep groove capable of partitioning samples from one another, the depth and width of the deep groove in relation to the partition being such that capillary action is not enabled; and at least two shallow grooves, each of the shallow grooves being capable of receiving one of the two samples, respectively, the depth of the shallow grooves in relation to the partition being such that capillary action is enabled, with each shallow groove being adjacent to the deep groove along the entire length of the groove.

Nilsson et al. fails to disclose or suggest these features of the claimed device, which make it possible to simultaneously displace at least two liquid samples independently of one another

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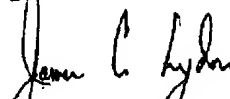
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in a small volume. None of the examples disclosed by Nilsson et al. disclose or suggest at least one deep groove and at least two shallow grooves, with each shallow groove being adjacent to the deep groove along the entire length of the deep groove. Reconsideration and withdrawal of the anticipation rejection of claims 9 and 13-16 over Nilsson et al. are earnestly requested.

It is believed this application is in condition for allowance. Reconsideration and withdrawal of the rejection of claims 9 and 13-16, and issuance of a Notice of Allowance directed to those claims, are earnestly requested. The Examiner is urged to telephone the undersigned should she believe any further action is required for allowance.

It is not believed any fee is required for entry and consideration of this Amendment. Nevertheless, the Commissioner is requested to charge any such required fee to our Deposit Account No. 50-1258.

Respectfully submitted,


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